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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			NGUYEN, HUY THANH	
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			2616	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/613,895

Applicant(s)

SUZUKI, KAZUHIRO

Examiner

HUY T NGUYEN

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-7 and 12-17 is/are rejected.
- 7) ☒ Claim(s) 8-11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

1. Claims 1-17 are objected to because of the following informalities: See examiner comment below. Appropriate correction is required.

The phrase "the above mentioned " used in the claims should be changed to – said--.

Claim Rejections - 35 USC § 112

2. Claims 2 ,3,7,12 and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 2, lines 3-4 ,There is no antecedent basis for "the above-mentioned digital signal processing equipment ".

In claim 3, line 3 ,There is no antecedent basis for "the above-mentioned digital signal processing equipment ".

Claim 7, line 3, recites that the coded data is multiplexed and at lines 10-11 recites that the coded data is not yet multiplexed , therefore it is not clear which code data is multiplexed and which code data is not yet multiplexed . Further clarifying in the claim is requested.

In claim 12, lines 6-7, There is no antecedent basis for "the above-mentioned multiplexed coded data".

In claim 14, line 3, it is not clear what is meant by "DIT"

In claim 14, lines 6-7, There is no antecedent basis for "the above-mentioned multiplexed coded data".

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-7,14 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Uchimi.

Regarding claim 1, Uchimi discloses a data reproduction transmission apparatus (Figs. 4 and 5, 7,8, 13,17-18) provided with; a reproduction means for reproducing the video information coded according to a predetermined information processing rule, a supplying means for supplying the coded data or the decoded data generated by decoding the above-mentioned coded data that includes at least the above-mentioned video information, a data restructuring means (intraframe coding means) for restructuring the above-mentioned coded data or the decoded data to the coded data that conforms to a predetermined transmission format, and an output means for supplying the above-mentioned restructured coded data to a digital transmission

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medium (column 7, lines 49 to column 8, line 35, column 11, line 12 to column 12, lines 56)

Regarding claim 2 and 3 , Uchimi further teaches the data restructuring means restructures the data according to a predetermined information processing rule that is needed for the above-mentioned digital signal processing equipment and that is that is acceptable for the abovementioned digital signal processing equipment only during the special reproduction namely any one of static reproduction, fast forward reproduction, and fast backward reproduction (column 4, Abstract).

Regarding claims 4 and 5, Uchimi further that the coded data that includes the above-mentioned video information is multiplexed and decoded previously, the above-mentioned data restructuring means has a coding means (Intra- frame coding means (Figs. 4,7-8,17-18)) for re-coding the decoded data generated by decoding the above-mentioned coded data to the data that is acceptable for a digital signal processing apparatus, a delay means (storage means) that stores the normal reproduction data (the data that is received and not coded by intra- frame coding means, stored and read later when the normal reproduction is requested) for delaying the above-mentioned multiplexed coded data, and a selection means that is controlled so as to select the output of the above-mentioned delay means during the normal reproduction and so as to select the output of the above-mentioned coding means during the special reproduction (column 7, lines 49 to column 8, line 35, column 11, line 12 to column 12, lines 56).

Regarding claim 6, Uchimi further that the reproduction transmission

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apparatus has a multiplexing means for multiplexing the coded data (means for forming the still picture or frame coded data into form a single stream) supplied from the above-mentioned selection means (Figs 7,8, 17,18).

Regarding claim 7, Uchimi further teaches the data reproduction transmission apparatus as claimed in claim 1, wherein, in the case that the coded data that includes the above-mentioned video information is multiplexed and decoded previously, the above-mentioned data restructuring means has a coding means (Figs. 4, 7,8,17,18) for re-coding the decoded data generated by decoding the above-mentioned coded data to the data that is acceptable for a digital signal processing equipment, a multiplexing means (means for arranging still pictures or frames into stream) for multiplexing the coded data coded by means of the above-mentioned coding means, a delay means (storage means (storing the coded data and for reading coded data later) for delaying the coded data that is not yet multiplexed, and a selection means that is controlled so as to select the output of the above-mentioned delay means during the normal reproduction, and so as to select the output of the above-mentioned multiplexing means during the special reproduction (column 7, lines 49 to column 8, line 35, column 11, line 12 to column 12, lines 56).

Regarding claim 14, Uchimi further teaches means for generating DCT information for special reproduction data (column 8, lines 50-65, column 9, lines 5-20).

Method claims 16-17 correspond to apparatus claims 1-3. Therefore method claims 16-17 are rejected by the same reason as applied to apparatus claims 1-3.

5. Claims 1-3 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Boyce (6,542,693).

Regarding claim 1, Boyce discloses a data reproduction transmission apparatus (Figs. 1, column 2, lines 30-68) provided with a reproduction means (column 2, lines 30-35) for reproducing (playing) the video information coded according to a predetermined information processing rule, a supplying means for supplying the coded data or the decoded data generated by decoding the above-mentioned coded data that includes at least the above-mentioned video information, a data restructuring means (107 I-frame coding means) for restructuring the above-mentioned coded data or the decoded data to the coded data that conforms to a predetermined transmission format, and an output means for supplying the above-mentioned restructured coded data to a digital transmission medium (109).

Regarding claim 2, Boyce further teaches the data reproduction transmission apparatus as claimed in claim 1, wherein the above-mentioned data restructuring means restructures the data according, to a predetermined information processing rule that is needed for the above-mentioned digital signal processing equipment (column 3, lines 15-21).

Regarding claim 3, Boyce further teaches the data reproduction transmission apparatus as claimed in claim 1, wherein the above-mentioned data restructuring means sends out the data-restructured coded data that is acceptable for the abovementioned digital signal processing equipment only during the special

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reproduction namely any one of static reproduction, fast forward reproduction, and fast backward reproduction (column 2, lines 10-17).

Method claims 16 and 17 correspond to apparatus claims 1-3, therefore method claims 16-17 are rejected by the same reason as applied to apparatus claims 1-3.

6. Claims 1-3 and 16-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Na et al (6,504,996).

Regarding claim 1, Na discloses a data reproduction transmission apparatus (Figs. 4 and 5, 13) provided with; a reproduction means for reproducing the video information coded according to a predetermined information processing rule, a supplying means for supplying the coded data or the decoded data generated by decoding the above-mentioned coded data that includes at least the above-mentioned video information, a data restructuring means (PS/TS converter) (column 4, lines 42-65, column 6, lines 35-40) for restructuring the above-mentioned coded data or the decoded data to the coded data that conforms to a predetermined transmission format, and an output means for supplying the above-mentioned restructured coded data to a digital transmission medium (digital TV).

Regarding claim 2 , Na further teaches the data restructuring means restructures the data according to a predetermined information processing rule that is needed for the above-mentioned digital signal processing equipment (digital TV) .

Regarding claim 4, Na further teaches the data reproduction transmission apparatus as claimed in claim 1, wherein, in the case that the coded data that includes the above-mentioned video information is multiplexed and decoded previously, the

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above-mentioned data restructuring means has a coding means (PS/TS converter) for re-coding the data generated by decoding the above-mentioned coded data so that the re-coded data is acceptable for a digital signal processing apparatus, and a multiplexing means for multiplexing the coded data coded by the above-mentioned coding means (Figs 2 and 3) .

Regarding claim 15, Na further teaches a data conversion means for converting the abovementioned decoded data to the video and audio information acceptable for an analog signal processing equipment (Fig. 5).

7. Claims 1-3 and 14-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Park et al (6,724,981).

Regarding claim 1, Park discloses a data reproduction transmission apparatus (Figs. 4 and 5, 13) provided with; a reproduction means for reproducing the video information coded according to a predetermined information processing rule, a supplying means for supplying the coded data or the decoded data generated by decoding the above-mentioned coded data that includes at least the above-mentioned video information, a data restructuring means (PS/TS converter) for restructuring the above-mentioned coded data or the decoded data to the coded data that conforms to a predetermined transmission format, and an output means for supplying the above-mentioned restructured coded data to a digital transmission medium.

Regarding claim 2 , Park further teaches the data restructuring means restructures the data according to a predetermined information processing rule that is needed for the above-mentioned digital signal processing equipment .

Regarding claim 4, Park further teaches the data reproduction transmission apparatus as claimed in claim 1, wherein, in the case that the coded data that includes the above-mentioned video information is multiplexed and decoded previously, the above-mentioned data restructuring means has a coding means (PS/TS converter) for re-coding the data generated by decoding the above-mentioned coded data so that the re-coded data is acceptable for a digital signal processing apparatus, and a multiplexing means for multiplexing the coded data coded by the above-mentioned coding means (Figs 2 and 3) .

Regarding claim 14, Park further teaches a data generation means (124) for generating the dummy packet information or DIT information that constitutes the coded data acceptable for a digital signal processing equipment (300) , and a selection means (130) that is controlled so as to select the abovementioned multiplexed coded data (from converter 112) during the normal reproduction, and so as to select the output of the above-mentioned data generation means (video encoder 124) during the special reproduction (column 5).

Regarding claim 15, Park further teaches a data conversion means (306,318) for converting the abovementioned decoded data to the video and audio information acceptable for an analog signal processing equipment (Fig. 1).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

9. Claims 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchimi et al (6,078,721) in view of Yasuda et al (6,330,365).

Regarding claims 12 and 13, Uchimi fails to teach generating stuff 0 for special reproduction data and multiplexing the coded data. However, it is noted that generating stuff 0 (dummy 0) for a stream data and multiplexing the stuff 0 with coded data is well known in the art in order to easily synchronizing the coded data is taught by Yasuda (columns 11-12, Figs. 2 and 4). Therefore, it would have been obvious to one of ordinary skill in the art to modify Uchimi with Yasuda by providing the apparatus of Uchimi with a stuff generating means for generating 0 in the special reproduction data therefore enhancing the capacity of the apparatus of Uchimi in easily to control the flow of the special reproduction data.

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10. Claims 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Uchimi et al (6,078,721) in view of Yanagihara et al (6,211,800) .

Regarding claim 15, Uchimi further teaches a conversion means in an analog signal processing equipment for converting the coded data. However, it is noted that using a conversion means in a analog signal processing equipment for converting coded data is well known in the art as taught by Yanagihara (Fig. 5) . Therefore, it would have been obvious to one of ordinary skill in the art to modify Uchimi with Yanagihara by using a conversion means as taught by Yanagihara with the apparatus of Uchimi for converting the coded data into video and audio information that is acceptable for an analog signal processing equipment for further displaying the coded data when needed.

Allowable Subject Matter

11. Claims 8-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion


12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Zdepski et al teaches apparatus for re-encoding data to form a special reproduction data .

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T NGUYEN whose telephone number is (703) 305-4775. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's acting supervisor, Thai Tran , can be reached on (703) 305-4725. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

H.N


HUU NGUYEN
PRIMARY EXAMINER